

EXHIBIT 2

22 Deposition of KEVIN SO, taken on
behalf of the Defendants, at 1999
23 Avenue of the Stars, Suite 400,
Los Angeles, California, commencing at
24 9:07 A.M., Thursday, March 11, 2010,
before Deanna Deremo, Certified
25 Shorthand Reporter No. 13398.

09:11 1 tell the truth in answering all of the questions
2 asked of you during the HSBC trial in London?

3 A Everything I said in the court in the
4 United Kingdom was true.

09:12 5 Q Did you tell the truth in responding to
6 all of the questions asked of you in the Suchanek
7 trial in Washington D.C.?

8 MS. TAN: Excuse me. It's Suchanek.

9 THE INTERPRETER: Suchanek. Thank you.

09:12 10 THE WITNESS: Yes, I said the truth.

11 BY MR. DONOVAN:

12 Q Did you tell the truth, Mr. So, in all of
13 your written testimony in the HSBC case in London?

14 A Repeat, please.

09:13 15 Q Did you tell the truth, Mr. So, in all of
16 your written testimony in the HSBC case?

17 A I did not prepare the statement for the
18 court in the United Kingdom, and I did not sign it
19 either.

09:13 20 Q Are you aware that in the HSBC case in
21 London, written statements were submitted under the
22 name of Kevin So?

23 A Repeat your question, please.

24 MR. DONOVAN: Why don't we have it read
09:14 25 back?

09:14 1 (The record was read back as requested.)

2 THE WITNESS: I am aware of a written
3 statement.

4 BY MR. DONOVAN:

09:14 5 Q What did you -- did you sign a written
6 statement in the HSBC litigation, Mr. So?

7 A I did not.

8 Q You did not.

9 MR. DONOVAN: Let's mark as Exhibit 1 a
09:15 10 document that purports to be a witness statement of
11 Kevin So.

12 (Exhibit 1 was marked for identification.)

13 BY MR. DONOVAN:

14 Q Mr. So, we marked as Exhibit 1 a document
09:16 15 that's entitled Witness Statement of Kevin So, and
16 on the last page there appears to be a signature.
17 Is that your signature on the last page of Exhibit
18 1?

19 A I did not sign this document. The
09:16 20 signature on this page was copied from my signature.

21 Q Who copied your signature on Exhibit 1?

22 A I don't know.

23 (Mr. Lopatin entered the room.)

24 MR. KALBIAN: For the record defendant --
09:17 25 pro se defendant, Mr. Lopatin, has just walked into

09:22 1 Q Are you sure about that date?

2 A Around November 2007.

3 Q Please take a look again at Exhibit 1.

4 Does Exhibit 1 contain lies to the best of your
09:23 5 knowledge?

6 A This document is in English. Could you
7 provide me the translation?

8 Q Have you ever read at any time in the past
9 four and a half years a Mandarin translation of
09:23 10 Exhibit 1?

11 A Yes.

12 Q In the Mandarin translation of Exhibit 1
13 that you reviewed, were there any statements in
14 there that you believed to be incorrect or lies?

09:24 15 A Yes.

16 Q What were the lies in the witness
17 statement that you reviewed?

18 A About -- the statement about Lucy Lu's
19 holding of shares in my family and my family
09:25 20 company. That part was not true.

21 Q Any other falsehood or lies in the
22 Mandarin version of Exhibit 1 that you reviewed?

23 A This is all I can recall right now. If
24 you want to have a more detailed answer, could you
09:25 25 please provide me the translation?

09:29 1 I will be referring to my interest and my partner
2 Wang Birui's interest because that \$30 million
3 represents my investment along with my partner Wang
4 Birui's investment.

09:29 5 THE INTERPRETER: The interpreter offers a
6 phonetic spelling, which may not be the legal
7 spelling. Last name W-a-n-g, first name B-i-r-u-i.
8 BY MR. DONOVAN:

9 Q So it's your testimony under penalty of
09:29 10 perjury, Mr. So, that Lucy Lu never owned a share of
11 the proceeds invested with Michael Brown; correct?

12 A Lucy Lu did not contribute anything to the
13 \$30 million investment. Every penny from the
14 30 million investment came from either myself or
09:30 15 Wang Birui.

16 Q Did you ever tell the Court, Mr. So, that
17 Birui Wang had an ownership interest in some or all
18 of the \$30 million invested with Mr. Brown?

19 MR. KALBIAN: Objection. Which Court?

09:31 20 MR. DONOVAN: I'll rephrase it because I
21 want to move this along.

22 BY MR. DONOVAN:

23 Q Did you ever inform the trial court in
24 London that Birui Wang had any ownership interest in
09:31 25 the proceeds invested with Michael Brown?

09:54

1

(Recess was taken.)

2

3

MR. DONOVAN: Why don't we go back on the record.

4

BY MR. DONOVAN:

10:22

5

6

Q Mr. So, do you understand you're still under oath?

7

A I understand that.

8

9

Q When was the first time you saw a Mandarin version of Exhibit 1, your witness statement?

10:22

10

A The Chinese version? I don't recall.

11

Q Was it in 2006?

12

A It was not.

13

14

Q Was it before the trial ended in the HSBC case?

10:24

15

A Before the trial, Lucy Lu asked for some of my personal information. Subsequently, a Chinese draft was sent to us. In the draft, it contained some things about Lucy's family and my family about the shareholder interest. We told her that she should not have prepared the draft such a way, and she told us that she did the draft in such a way because she wanted to win trust from others.

23

24

However, after that, no revision was ever shown to us.

10:26

25

Q In what year -- or if you remember month

10:45 1 rendition is.

2 THE WITNESS: I need to have legal
3 knowledge to determine how good my British attorney
4 performed. At the time I told the truth to
10:45 5 Suchanek, the attorney -- and I told the truth to
6 Suchanek. Suchanek did not tell everything to the
7 British attorney. The British attorney did not want
8 to put myself and Lu together. However, Suchanek
9 did not agree to it.

10:47 10 BY MR. DONOVAN:

11 Q The British attorneys didn't want to have
12 Lucy Lu as a party in the case with you?

13 MR. KALBIAN: Objection. Mischaracterizes
14 previous testimony.

10:47 15 THE WITNESS: I don't think that's what I
16 meant.

17 BY MR. DONOVAN:

18 Q What did you mean?

19 A I already answered you.

10:48 20 Q Okay. Mr. So, who paid for the lawyers in
21 the HSBC case? Did you, Ms. Lu, or someone else?
22 Who paid for your lawyers?

23 A I, along with my partner, Wang Birui, paid
24 for the attorney fees.

10:48 25 Q How much of the attorney's fees did you

10:50 1 MR. KALBIAN: Objection to form.

2 THE WITNESS: That is correct.

3 BY MR. DONOVAN:

4 Q Did you ever tell the English court during
10:50 5 the trial that Birui Wang owns some of the proceeds
6 invested with Michael Brown?

7 A I did not.

8 Q Now, a few answers ago you -- if I
9 understood you correctly -- were blaming the loss on
10:51 10 the HSBC case to the people who conspired against
11 you. Did I understand that correctly?

12 A I need to hear the question again.

13 Q Who do you blame the loss of the HSBC
14 litigation on? Whose fault is it in your view?

10:52 15 A I sued them because I found out that I
16 lost the case in United Kingdom, and I found out
17 that I fell into the trap set by them. They
18 together conspiringly defrauded me. That is why I
19 sued them.

20 Q Who are them?

21 A They include Lucy Lu Young, Land Base,
22 Boris Lopatin, KM&M, Kondas, Mira, and others.

23 Q When did you first learn that you had lost
24 money on your investment with Michael Brown?

10:54 25 MR. KALBIAN: Objection. Form and

10:54 1 foundation. He can answer.

2 THE WITNESS: I fell into the trap set up
3 by the conspiring cohort, and they set up the scheme
4 step-by-step. Even when there were some losses,
10:55 5 they didn't really tell me.

6 BY MR. DONOVAN:

7 Q When is the -- in what year, Mr. So, did
8 you first learn that you had lost money on your
9 investment with Michael Brown?

10:55 10 A I'm not able to recall the exact date.

11 Q What year?

12 A I believe it was around 2006.

13 Q What month?

14 A I believe it was the first half of 2006
10:56 15 when I sensed whether the principal was still
16 existing or not.

17 Q Can you help me out at all in telling me
18 within the first half of 2006 what month you learned
19 that?

20:57 20 A I'm not able to give you a precise answer
21 right away.

22 Q How did you learn that you had lost money
23 on the investment with Michael Brown?

24 A When Lu asked me to pay for the attorney's
10:58 25 fees, I sensed there may be problems.

11:04 1 BY MR. DONOVAN:

2 Q Okay. Good. And you've never given any
3 money to Mr. Edwards to invest on your behalf;
4 correct?

11:04 5 A I did not.

6 Q And to your knowledge Birui Wang never
7 gave any of your money to Mr. Edwards to invest;
8 correct?

9 A For the 30 million investment I did not
11:05 10 have Birui to invest with the \$30 million. But I do
11 not know what Birui did with the 30 million.

12 Q Birui Wang decided how to invest the
13 \$30 million?

14 A At the time of the 30 million investment,
11:06 15 Birui and myself agreed.

16 Q How much of the 30 million was Ms. Wang's?

17 A 40 percent.

18 Q How much was Ms. Lu's?

19 A Lu didn't have anything in the 30 million.

11:06 20 Q Birui Wang had 12 million of the
21 30 million?

22 A Yes, in the principal. She has 12 million
23 principal.

24 Q Do you know where she obtained the
11:07 25 \$12 million?

13:23 1 projects.

2 MR. DONOVAN: Let's mark as Exhibit 2,
3 photographs.

4 (Exhibit 2 was marked for identification.)

13:23 5 BY MR. DONOVAN:

6 Q And I want to see if you would agree with
7 me that these photographs depict the three of you
8 meeting in Hong Kong in 2007?

9 A Yes.

13:24 10 Q Did you speak English to Mr. Lopatin or
11 Mr. Woodhead at all during that meeting?

12 A When we met in Hong Kong, Mr. Lopatin --
13 they brought Mr. Xian, a friend of theirs in Hong
14 Kong to serve as an interpreter.

13:26 15 THE INTERPRETER: The interpreter offers
16 the phonetic spelling, which may not be the legal
17 spelling, X-i-a-n.

18 BY MR. DONOVAN:

19 Q Mr. So, respectfully you didn't answer my
13:26 20 question. Did you speak directly to Mr. Lopatin or
21 Mr. Woodhead at any time during this meeting in
22 2007?

23 A To my recollection all conversation was
24 through Mr. Xian's interpretation.

13:26 25 Q At any time during this meeting in Hong

13:26 1 Kong, were any numbers discussed of a potential
2 investment by you in projects that were being
3 mentioned by Mr. Lopatin and Mr. Woodhead?

4 A Suchanek and Mira told me that they were
13:28 5 coming to Hong Kong, and I met with them primarily
6 with the intention of wanting to know more about the
7 litigation. They didn't want to answer me about my
8 questions. Instead they talked about their
9 projects. Just like what I said earlier, they
13:28 10 talked a lot about building a big city in Thailand,
11 about many projects in Thailand, about bringing the
12 oil tube to China, and about a lot of things between
13 China and Russia.

14 Q How long was this meeting with
13:28 15 Mr. Woodhead and Mr. Lopatin?

16 A Several hours.

17 Q How much of the time did you talk about
18 the litigation?

19 A They didn't want to talk to me about the
13:29 20 litigation. They told me that Suchanek was coming
21 to Hong Kong very soon, and they wanted me to talk
22 to Suchanek about the litigation.

23 Q So did you talk for the entire meeting
24 about the development plans they were proposing to
13:29 25 you?

13:30 1 A At that time I didn't know they were part
2 of the conspiracy cohort. So I treated them with
3 courtesy. I stayed there to listen to what they had
4 to say.

13:30 5 Q Isn't it true, Mr. So, that during this
6 meeting you expressed interest in investing tens --
7 if not hundreds -- of millions of dollars with
8 Mr. Lopatin and Mr. Woodhead?

9 A I don't understand your question.

13:31 10 Q Did you ever discuss specific numbers with
11 Mr. Lopatin or Mr. Woodhead about the size of any
12 potential investment by you in their projects?

13 MR. KALBIAN: At this meeting?

14 MR. DONOVAN: Yeah.

13:32 15 THE WITNESS: I didn't say that I was
16 interested in the investment. He wanted to confirm
17 with me whether Lu was my girlfriend or not. And my
18 response to him was that quote, "It's impossible
19 because I only met Lu in 2004, and I have only seen
20 her once. That is impossible." And then he said in
21 Beijing, he wanted Lu to come to Hong Kong to meet
22 with you, and Lu didn't dare to do so.

23 BY MR. DONOVAN:

24 Q When in 2004 did you meet --

13:33 25 A I didn't finish my answer yet. Then I

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09:24 1 HSBC lawsuit?

2 A When I was in court, I had an interpreter.
3 However, outside the court, I did not specifically
4 hire an interpreter.

09:24 5 Q How did you communicate with your
6 attorneys or solicitors in England?

7 MR. KALBIAN: Objection. Form.

8 THE WITNESS: During that period sometimes
9 my partner, Wang Birui, was present, and sometimes
09:26 10 my British attorney and the interpreter were
11 present.

12 BY MR. THIBODO:

13 Q Did your partner, Birui Wang, ever provide
14 you with Chinese translations of documents from the
09:26 15 HSBC lawsuit in England?

16 A I don't recall.

17 Q Looking at Exhibit 7, Mr. So, which is in
18 front of you, do you recognize this document?

19 A No, I don't, and this is an English
09:27 20 version. So can you tell me about it?

21 Q Looking at the last page, Mr. So, is that
22 your signature?

23 A It looks like the way I sign my name.
24 However, as far as I can recall, I don't have any
09:28 25 impression of signing this document. Many of the

09:28 1 documents submitted to the British court were not
2 provided by me. Many documents were fake documents.

3 MR. THIBODO: I'd like to mark as Exhibit
4 8, a document that appears to be a fax. It is
09:29 5 entitled, "Confidential". It says, "Dear Mira and
6 the Honorable Judge."

7 (Exhibit 8 was marked for identification.)

8 BY MR. THIBODO:

9 Q Looking at the second page of this
09:29 10 exhibit, Mr. So, is that your signature?

11 A It looks like mine.

12 Q Do you recognize the email address below
13 your signature peaceever2001@yahoo.com.cn?

14 A I do.

09:30 15 Q Whose email is that?

16 A My email.

17 Q Do you recognize the telephone number and
18 the fax number below the email address?

19 A I do.

09:30 20 Q And whose telephone number is that?

21 A My telephone number.

22 Q Is it also your fax number?

23 A That's correct.

24 Q Are these telephone and fax numbers your
09:31 25 numbers in Hong Kong?

10:11 1 BY MR. THIBODO:

2 Q My question is did Lu tell -- all that
3 information you just said, did Lu tell you that at
4 that time that you were making the commission
10:12 5 payments to KMAI?

6 A Ever since 2005, Lu kept on talking about
7 Kevin Kondas and KM & A. At the end of 2007, which
8 was about one year after we stopped having contact
9 with Lu for about a year, all of a sudden she
10:13 10 approached us saying -- at the end of 2007, which
11 was about one year after we last had contact with
12 her, all of a sudden Lu approached us saying a lot
13 about Kevin Kondas and KM & A.

14 She continued to say that it was an
10:15 15 agency of the Federal Reserve Bank, and Kevin Kondas
16 was an officer of the Reserve Bank. She also said
17 that -- she also said that Mira Meltzer was with
18 KM & A, and they were all together. She revealed
19 the conspiring, defrauding fact to us.

20:16 20 MR. THIBODO: I want to object to
21 everything after the first sentence as nonresponsive
22 and move to strike on that basis. So we can take a
23 break right now.

24 MR. DONOVAN: I join.

10:16 25 (Recess was taken.)

16:06 1 THE WITNESS: About the 30 million
2 investment in England, Suchanek was my attorney, and
3 Mira was Suchanek's assistant. Therefore, Mira
4 Meltzer was quite familiar with the investment
16:06 5 information.

6 BY MR. BEAUDOIN:

7 Q Accepted. Did Mira Meltzer ever give you
8 investment advice?

9 A I don't recall.

16:07 10 Q Did Mira Meltzer ever advise you as to
11 whether you should invest money with Michael Brown?

12 A I don't recall.

13 Q Do you recall if Mira Meltzer ever advised
14 you to do business with Land Base?

16:10 15 A In 2007, Mira took the initiative to put
16 people from Land Base to be in touch with me.
17 Several times in early part of 2007, Mira put people
18 from Land Base -- Boris Lopatin, Woodhead, and
19 Kim -- tried several times to send them to Hong Kong
16:10 20 to meet with me. When Boris Lopatin, Woodhead and
21 Cameron were in Hong Kong, they introduced me to a
22 lot of their projects. Some had already been
23 successfully completed, and some were about to
24 start.

16:12 25 Those projects include many projects

16:12 1 that they -- many projects that would take place in
2 Thailand, a city that they were going to build, and
3 also oil tube connecting Thailand to China and many
4 projects in Europe. They were also talking about
16:12 5 purchasing a big office building for their office in
6 Hong Kong.

7 During the time I was meeting with
8 people from Land Base, Cameron told me that the
9 telephone they were receiving or calling out were
16:14 10 phone calls with Suchanek and Mira Meltzer. Just by
11 observing their expression, they all seemed to be
12 very happy on the phone, talking. In addition
13 Cameron also told me that Suchanek is a very
14 powerful person. One time Cameron accidentally
16:15 15 called him by his first name. For that Suchanek was
16 upset with Cameron for a long time and --

17 MR. BEAUDIOIN: I need to cut in here. My
18 question was has Mira Meltzer ever advised you to do
19 business with Land Base? I'm not hearing a
16:15 20 response. We're talking about somebody named
21 Cameron calling the judge by his name.

22 MR. KALBIAN: Who was with Boris
23 Lopatin -- I think was his testimony -- who was Land
24 Base. He's giving you the answer. You may not like
16:16 25 the answer, but that's not a reason to cut in.

16:16 1 MR. BEAUDIOIN: The answer's just
2 completely irrelevant at this point.

3 MR. KALBIAN: Well, you asked the
4 question. I didn't object, and he's giving you
16:16 5 answer.

6 MR. BEAUDIOIN: I'm hoping there's an
7 answer here.

8 MR. KALBIAN: He's giving you the answer.
9 Let him finish.

16:16 10 MR. BEAUDIOIN: Let's continue. Please
11 finish your answer.

12 THE WITNESS: For that Suchanek was upset
13 for a long time and didn't talk to Cameron for a
14 long time. During the period when people from Land
16:18 15 Base came to visit, they talked to Mira on the phone
16 many times. And one time when they were talking to
17 Mira on the phone, Cameron handed me the phone,
18 wanted me to say hello to Mira. So I took over the
19 phone, and all I did was to say, "Hello," and
16:18 20 greeted her. I was not able -- I'm not able to
21 converse in English. There was no way for me to say
22 any more. So I handed the phone back to Cameron.

23 But from my observation, I can see -- I
24 could see that they were very close, friendly, and
16:19 25 they were very happy with each other. The reason I

16:19 1 met with people from Land Base was because I wanted
2 to know more about the situation of my 30 million
3 investment because at that time it was already in
4 litigation. But however, none of those Land Base
16:20 5 people wanted to talk to me about the litigation.

6 Instead they wanted to talk to me about
7 their projects. Some had already been successfully
8 completed, and some were about to happen. And they
9 continued to talk to me about their good
16:21 10 relationship with Russian military and Chinese
11 government.

12 BY MR. BEAUDOIN:

13 Q This was in 2007; correct?

14 A Yes.

16:21 15 Q Did you ask Mira Meltzer to set up the
16 meeting in Hong Kong with the Land Base people?

17 A I did not ask Mira to arrange a meeting to
18 talk about projects.

19 Q You asked Mira to arrange a meeting to
16:22 20 talk about the \$30 million that was in litigation;
21 correct?

22 A The meeting with people from Land Base --
23 what happened was because one time out of the blue
24 in an email, Mira told me that Boris Lopatin was
16:24 25 about to come into Hong Kong, and very soon I would

16:24 1 see him. And then afterward she kept on telling me
2 other people would be coming to Hong Kong and
3 started making the arrangement for me to meet with
4 them.

16:24 5 Q And were you okay with meeting with them?

6 A As early as 2006, we were hoping to --
7 to -- to -- well, as early as 2006, we sent letter
8 to people like Boris Lopatin. In the letter, we
9 stated that I would like to have Wang Birui's
16:27 10 husband to meet with Boris Lopatin because Wang
11 Birui's husband, Wang Ruo Song --

12 THE INTERPRETER: The interpreter offers
13 phonetic spelling, which may not be the legal
14 spelling. Last name, W-a-n-g, first name, R-u-o
16:27 15 S-o-n-g.

16 THE WITNESS: -- in the letter, we already
17 made it very clear that Wang accounts for 40 percent
18 of investment, and my portion was 60 percent. This
19 was already very clearly stated in the letter to
16:28 20 Boris Lopatin. The purpose of the letter to Boris
21 Lopatin was for Wang to meet with Boris Lopatin so
22 that Mr. Wang could have better understanding of the
23 investment. However, when Boris Lopatin responded
24 through Lu, Boris Lopatin said he didn't have time
16:30 25 to meet with us right away, but later he would

17:24 1 liability. Demand them to transfer your money in
2 London to the account in H.K."

3 Q Mr. So, did you receive a Mandarin
4 translation of this advice from Debbie Wang in or
17:24 5 about November 16th, 2005?

6 A I don't recall.

7 Q Mr. So, were you advised by Mr. Basil
8 Alcott-Young in connection with the HSBC matter in
9 London in about November of 2005?

17:26 10 A I knew of the name Alcott-Young. However,
11 I don't recall the details.

12 Q Was Mr. Alcott-Young one of your
13 solicitors in England in or about November of 2005?

14 A We didn't know that there was a litigation
17:30 15 until 2006 when Lucy Lu and Young wanted us to pay
16 for the attorney's fee. Prior to that, Lucy Lu kept
17 on saying to talk about settlement with Michael
18 Brown we needed an attorney. However, Lucy Lu made
19 all the arrangements. We did not know any
17:30 20 specifics. We did not know any details. However,
21 later on we found out the so-called settlement with
22 Michael Brown was a lie. Lucy Lu was lying to us.
23 Brown's account had been frozen a long time ago.

24 Q Anything else?

17:31 25 A That's it.